

### **REMARKS**

Claims 44, 45, 47, 49, and 52 have been amended. Claims 61-64 have been added. Claims 46, 48 and 53-60 have been canceled to further the prosecution of the application. Applicants reserve the right to pursue the original claims and other claims in this application and in other applications.

Claims 44-49 and 52-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipps in views of Fenner and Suzuki. The rejection is respectfully traversed.

Claim 44 recites a game apparatus comprising a game control unit that controls game progress by executing the acts of “displaying at least four disappearance positions at outer areas on said display screen such that an inner area on the display screen is surrounded by said plurality of disappearance positions” and “displaying a plurality of command marks on the display screen, which are blown out one after the other from a position in said inner area in concert with a rhythm of music, wherein each of the blown-out command marks moves from the appearance position toward one of said disappearance positions” (emphasis added).

As set forth in prior amendments, Lipps discloses a video gaming apparatus that simulates the game of baseball. Lipps discloses an apparatus that detects whether a baseball bat 46 passes through a specific spatial area and the timing with which the bat passes through the area. Fenner discloses a remotely controllable position indicator system that determines the relative position and orientation of at least one mobile object and one static object. Fenner’s disclosure is directed to systems such as video games. In a video game, it may be important to determine the relative position and orientation of one or mobile objects (e.g., one or more guns) with respect to a static object (e.g., a display screen). See column 1, lines 7-21. Fenner, therefore discloses a detection system capable of detecting multiple objects with respect to a specific reference point. See, e.g., column 8, line 17 – column 9, line 67.

That is, Lipps and Fenner are generally related to position detections. Fenner and Lipps, however, fail to teach or suggest the above-noted limitations of claim 44. Applicants respectfully

submit that Suzuki also fails to teach or suggest the above-noted limitations. As such, the cited combination must also fail to teach or suggest these claim limitations.

Specifically, Suzuki only discloses using position indication marks M1-M4 and still marks S1-S4 (see FIG. 7). Suzuki states that:

In FIG. 7, a case is shown in which the player plays a game in the dance area 11 on the right side of FIG. 2, and the background of a dance image D and the stepping position indication marks M1 to M4 which **are scrolled downward at a predetermined speed in sequence from the top of the screen** are displayed in the sequence of M1, M4, M2, and M3. Still marks S1 to S4 indicating the left, down, up, and right marks, displayed at the bottom end on the display surface, are used to indicate timing, and the state in which the scrolled mark M completely overlaps (matches) the still mark S guides a stepping operation timing.  
Suzuki Col. 8, lines 40-52 (emphasis added).

That is, the stepping position indication marks M1 to M4 in Suzuki are scrolled only downward from the top of the screen, and the movement traces of the stepping position indication marks M1 to M4 are fixed on the display surface, which is completely different from the subject matter of claim 44. Accordingly, the cited combination fails to disclose, teach or suggest “displaying at least four disappearance positions at outer areas on said display screen such that an inner area on the display screen is surrounded by said plurality of disappearance positions” and “displaying a plurality of command marks on the display screen, which are blown out one after the other from a position in said inner area in concert with a rhythm of music, wherein each of the blown-out command marks moves from the appearance position toward one of said disappearance positions.” Claim 45 depends from claim 44 and is allowable along with claim 44.

Claims 47, 49 and 52 recite similar limitations with the exceptions that claims 47, 49 and 52 recite “target marks” instead of “disappearance positions” and “moving marks”/“moving elements” instead of “command marks.” Applicants respectfully submit, however, that claims 47, 49 and 52 are allowable for at least the reasons set forth above and on their own merits.

Furthermore, in Suzuki, the player's operations are detected by the stepping base sections 13L, 13B, 13F and 13R that are being stepped on by the player's foot. In claims 47, 49 and 52, on the other hand, the player's operations are detected by the movements of the player's hands in a space in front of the display screen (e.g., the moving directions or timing of the hands). This is another reason why the claims are allowable over the cited combination.

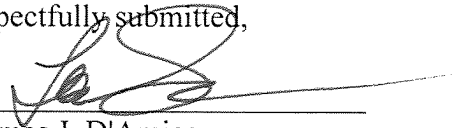
Accordingly, the rejection should be withdrawn and the claims allowed.

New claims 61-64 recite similar limitations as set forth above and are allowable for at least the same reasons and on their own merits.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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